

109TH CONGRESS  
1ST SESSION

# H. R. 423

To authorize the Secretary of Energy to establish an Advanced Power System Technology Incentives Program to fund the development and deployment of new advanced technologies such as advanced fuel cells, turbines, or hybrid power systems or power storage systems to generate or store electric energy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2005

Mr. TERRY (for himself and Mr. DOYLE) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To authorize the Secretary of Energy to establish an Advanced Power System Technology Incentives Program to fund the development and deployment of new advanced technologies such as advanced fuel cells, turbines, or hybrid power systems or power storage systems to generate or store electric energy, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Homeland Infrastruc-  
5       ture Power Security and Assurance Incentives Act of  
6       2005”.

1 **SEC. 3. FINDINGS.**

2 Congress finds that—

3 (1) In order to fortify and protect critical infra-  
4 structure systems and facilities like military installa-  
5 tions, banks, utilities, and information technology  
6 systems from potential terrorist threats and to pro-  
7 vide efficient and assured power to such facilities ad-  
8 vanced technologies must be encouraged and in-  
9 stalled by U.S. electricity providers.

10 (2) Dependence on foreign oil is a matter of na-  
11 tional security and the nation must consider all en-  
12 ergy resource options, including support for energy  
13 efficiency and renewable resources and technologies  
14 that will ensure a diverse energy portfolio.

15 (3) Estimates are that power outages, brown-  
16 outs, and other voltage disturbances cost U.S. indus-  
17 try up to \$150 billion per year and cause great dis-  
18 ruption to the Nation's economy.

19 (4) Distributed Power systems, such as fuel  
20 cells, turbines and hybrid combinations of these  
21 technologies, backed up with storage systems, can  
22 reduce costly outages, and ensure more assured and  
23 secure and reliable power generation and distribu-  
24 tion, protected from potential terrorist threats to our  
25 national infrastructure.

1 **SEC. 4. ADVANCED POWER SYSTEM TECHNOLOGY INCEN-**  
2 **TIVE PROGRAM.**

3 (a) PROGRAM.—The Secretary of Energy is author-  
4 ized to establish an Advanced Power System Technology  
5 Incentive Program to support the deployment of certain  
6 advanced power system technologies and to improve and  
7 protect certain critical governmental, industrial, and com-  
8 mercial processes. Funds provided under this section shall  
9 be used by the Secretary to make incentive payments to  
10 eligible owners or operators of advanced power system  
11 technologies to increase power generation through en-  
12 hanced operational, economic, and environmental perform-  
13 ance. Payments under this section may only be made upon  
14 receipt by the Secretary of an incentive payment applica-  
15 tion establishing an applicant as either—

- 16 (1) a qualifying advanced power system tech-  
17 nology facility; or  
18 (2) a qualifying security and assured power fa-  
19 cility.

20 (b) INCENTIVES.—Subject to availability of funds, a  
21 payment of 1.8 cents per kilowatt-hour shall be paid to  
22 the owner or operator of a qualifying advanced power sys-  
23 tem technology facility under this section for electricity  
24 generated at such facility. An additional 0.7 cents per kilo-  
25 watt-hour shall be paid to the owner or operator of a quali-  
26 fying security and assured power facility for electricity

1 generated at such facility. Any facility qualifying under  
2 this section shall be eligible for an incentive payment for  
3 up to, but not more than, the first 10,000,000 kilowatt-  
4 hours produced in any fiscal year.

5 (c) ELIGIBILITY.—For purposes of this section—

6 (1) the term “qualifying advanced power system  
7 technology facility” means a facility using an ad-  
8 vanced fuel cell, turbine, or hybrid power system or  
9 power storage system to generate or store electric  
10 energy; and

11 (2) the term “qualifying security and assured  
12 power facility” means a qualifying advanced power  
13 system technology facility determined by the Sec-  
14 retary of Energy, in consultation with the Secretary  
15 of Homeland Security, to be in critical need of se-  
16 cure, reliable, rapidly available, high-quality power  
17 for critical governmental, industrial, or commercial  
18 applications.

19 (d) AUTHORIZATION.—There are authorized to be ap-  
20 propriated to the Secretary of Energy for the purposes  
21 of this section, \$10,000,000 for each of the fiscal years  
22 2006 through 2012.

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